

February 12, 2002

Mr. Michael Kansler
Vice President and
Chief Operating Officer
Entergy Nuclear Operations, Inc.
Broadway and Bleakley Avenue
Buchanan, NY 10511

SUBJECT: INDIAN POINT NUCLEAR GENERATING UNIT NO. 2 - AMENDMENT RE:
REMOVAL OF CONTAINMENT ISOLATION VALVE LISTS FROM TECHNICAL
SPECIFICATIONS (TAC NO. MB2416)

Dear Mr. Kansler:

The Commission has issued the enclosed Amendment No. 223 to Facility Operating License No. DPR-26 for the Indian Point Nuclear Generating Unit No. 2 (IP2). The amendment consists of changes to the Technical Specifications (TSs) in response to the application from Consolidated Edison Company of New York, Inc. (Con Edison) transmitted by letter dated July 13, 2001. On September 6, 2001, the license for IP2 was transferred from Con Edison to Entergy Nuclear IP2 and Entergy Nuclear Operations, Inc. By letter dated September 20, 2001, Entergy Nuclear Operations requested that the U.S. Nuclear Regulatory Commission (NRC) continue to review all requests pending with the NRC at the time of the license transfer which had been submitted by Con Edison. In a letter dated November 30, 2001, Entergy Nuclear Operations, Inc. provided additional information to support the application.

The amendment revises the TSs to delete TS Tables 3.6-1, "Non-Automatic Containment Isolation Valves Open Continuously or Intermittently for Plant Operation," and 4.4-1, "Containment Isolation Valves." The amendment also revises other TS sections that reference these tables. The removal of the tables is in accordance with the guidance in NRC Generic Letter 91-08, "Removal of Component Lists from Technical Specifications."

A copy of the related Safety Evaluation is enclosed. A Notice of Issuance will be included in the Commission's next regular biweekly *Federal Register* notice.

Sincerely,

/RA/

Patrick D. Milano, Sr. Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-247

Enclosures: 1. Amendment No. 223 to DPR-26
2. Safety Evaluation

cc w/encls: See next page

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Project Directorate I
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Office of Nuclear Reactor Regulation

Docket No. 50-247

Enclosures: 1. Amendment No. to DPR-26
2. Safety Evaluation TECH SPEC PAGES: ML020440332
cc w/encls: See next page PACKAGE: ML020450051
ADAMS ACCESSION NUMBER: ML012680436 *See previous concurrence

OFFICE	PDI-1\PM	PDI-1\LA	SC\SPLB*	RTSB*	OGC* NLO	PDI-1\ASC
NAME	PMilano	SLittle	GHubbard	WBeckner	AFernandez	JMunday
DATE	02/06/02	02/06/02	10/09/01	12/18/01	02/05/02	02/07/02

Official Record Copy

DATED: February 12, 2002

AMENDMENT NO. 223 TO FACILITY OPERATING LICENSE NO. DPR-26 INDIAN POINT
UNIT 2

PUBLIC
PDI-1 R/F
G. Hubbard
W. Beckner
B. Platchek, RI
S. Little
L. Raghavan
P. Milano
G. Hill (2)
OGC
ACRS

cc: Plant Service list

Indian Point Nuclear Generating Station
Unit 2

Mr. Jerry Yelverton
Chief Executive Officer
Entergy Operations
1340 Echelon Parkway
Jackson, MS 39213

Mr. Fred Dacimo
Vice President - Operations
Entergy Nuclear Operations, Inc.
Indian Point Nuclear Generating Units 1 & 2
295 Broadway, Suite 1
P.O. Box 249
Buchanan, NY 10511-0249

Mr. Robert J. Barrett
Vice President - Operations
Entergy Nuclear Operations, Inc.
Indian Point Nuclear Generating Units 3
295 Broadway, Suite 3
P.O. Box 308
Buchanan, NY 10511-0308

Mr. Dan Pace
Vice President Engineering
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Mr. James Knubel
Vice President Operations Support
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Mr. Lawrence G. Temple
General Manager Operations
Entergy Nuclear Operations, Inc.
Indian Point Nuclear Generating Unit 2
295 Broadway, Suite 1
P.O. Box 249
Buchanan, NY 10511-0249

Mr. John Kelly
Director of Licensing
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Ms. Charlene Fiason
Manager, Licensing
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Mr. John McCann
Manager, Nuclear Safety and Licensing
Indian Point Nuclear Generating Unit 2
295 Broadway, Suite 1
P. O. Box 249
Buchanan, NY 10511-0249

Mr. Harry P. Salmon, Jr.
Director of Oversight
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Mr. John M. Fulton
Assistant General Counsel
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Mr. Thomas Walsh
Secretary - NFSC
Entergy Nuclear Operations, Inc.
Indian Point Nuclear Generating Unit 2
295 Broadway, Suite 1
P. O. Box 249
Buchanan, NY 10511-0249

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

Senior Resident Inspector, Indian Point 2
U. S. Nuclear Regulatory Commission
295 Broadway, Suite 1
P.O. Box 38
Buchanan, NY 10511-0038

Indian Point Nuclear Generating Station
Unit 2

Mr. William M. Flynn, President
New York State Energy, Research, and
Development Authority
Corporate Plaza West
286 Washington Avenue Extension
Albany, NY 12203-6399

Mr. J. Spath, Program Director
New York State Energy, Research, and
Development Authority
Corporate Plaza West
286 Washington Avenue Extension
Albany, NY 12203-6399

Mr. Paul Eddy
Electric Division
New York State Department
of Public Service
3 Empire State Plaza, 10th Floor
Albany, NY 12223

Mr. Charles Donaldson, Esquire
Assistant Attorney General
New York Department of Law
120 Broadway
New York, NY 10271

Mayor, Village of Buchanan
236 Tate Avenue
Buchanan, NY 10511

Mr. Ray Albanese
Executive Chair
Four County Nuclear Safety Committee
Westchester County Fire Training Center
4 Dana Road
Valhalla, NY 10592

Ms. Stacey Lousteau
Treasury Department
Entergy Services, Inc.
639 Loyola Avenue
Mail Stop: L-ENT-15E
New Orleans, LA 70113

David Lochbaum
Nuclear Safety Engineer
Union of Concerned Scientists
1707 H Street, NW., Suite 600
Washington, DC 20006

Fred Zalcmán
Pace University School of Law
The Energy Project
78 North Broadway
White Plains, NY 10603

Michael Mariotte
Nuclear Information & Resources Service
1424 16th Street, NW, Suite 404
Washington, DC 20036

Deborah Katz
Executive Director
Citizens Awareness Network
P.O. Box 83
Shelburne Falls, MA 01370

Marilyn Elie
Organizer
Citizens Awareness Network
2A Adrain Court
Cortlandt Manor, NY 10567

Tim Judson
Organizer
Citizens Awareness Network
140 Bassett Street
Syracuse, NY 13213

Anne Reynolds
Environmental Advocates
353 Hamilton Street
Albany, NY 12210

Mark Jacobs
Executive Director
Westchester Peoples Action Coalition
255 Dr. M.L. King Jr. Boulevard
White Plains, NY 10601

Indian Point Nuclear Generating Station
Unit 2

Paul Gunter
Nuclear Information & Resource Service
1424 16th Street, NW, #404
Washington, DC 20036

Alex Matthiessen
Executive Director
Riverkeeper, Inc.
25 Wing & Wing
Garrison, NY 10524

Paul Leventhal
The Nuclear Control Institute
1000 Connecticut Avenue NW
Suite 410
Washington, DC, 20036

Karl Copeland
Pace Environmental Litigation Clinic
78 No. Broadway
White Plains, NY 10603

Jim Riccio
Greenpeace
702 H Street, NW
Suite 300
Washington, DC 20001

ENTERGY NUCLEAR INDIAN POINT 2, LLC

ENTERGY NUCLEAR OPERATIONS, INC.

DOCKET NO. 50-247

INDIAN POINT NUCLEAR GENERATING UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 223
License No. DPR-26

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Entergy Nuclear Operations, Inc. (the licensee) dated July 13, 2001, as supplemented on November 30, 2001, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-26 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 223, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of its issuance and shall be implemented within 60 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Joel T. Munday, Acting Chief, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: February 12, 2002

ATTACHMENT TO LICENSE AMENDMENT NO. 223

FACILITY OPERATING LICENSE NO. DPR-26

DOCKET NO. 50-247

Replace the following pages of the Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove Pages

vii
viii
1-3
3.6-1
3.6-3
3.6-4
Table 3.6-1 (Page 1 of 1)
4.4-3
4.4-4
4.4-7
Table 4.4-1 (Pages 1 of 9
to 9 of 9)

Insert Pages

vii
viii
1-3
3.6-1
3.6-3
3.6-4

4.4-3
4.4-4
4.4-7

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 223 TO FACILITY OPERATING LICENSE NO. DPR-26
ENTERGY NUCLEAR INDIAN POINT 2, LLC
ENTERGY NUCLEAR OPERATIONS, INC.
INDIAN POINT NUCLEAR GENERATING UNIT NO. 2
DOCKET NO. 50-247

1.0 INTRODUCTION

By letter dated July 13, 2001, the Consolidated Edison Company of New York, Inc. (Con Edison) submitted a request for changes to the Indian Point Nuclear Generating Unit No. 2 (IP2) Technical Specifications (TSs). The requested changes would revise the TSs to delete TS Tables 3.6-1, "Non-Automatic Containment Isolation Valves Open Continuously or Intermittently for Plant Operation," and 4.4-1, "Containment Isolation Valves." The amendment would also revise other TS sections that reference these tables. The removal of the tables is in accordance with the guidance in NRC Generic Letter (GL) 91-08, "Removal of Component Lists from Technical Specifications."

On September 6, 2001, the license for IP2 was transferred from Con Edison to Entergy Nuclear Indian Point 2 and Entergy Nuclear Operations (the licensee). By letter dated September 20, 2001, the licensee requested that the U.S. Nuclear Regulatory Commission (NRC) continue to review all requests pending with the NRC at the time of the license transfer which had been submitted by Con Edison.

In a letter dated November 30, 2001, Entergy Nuclear Operations, Inc. provided additional information to support the application. This letter provided clarifying information that did not change the initial proposed no significant hazards consideration determination.

2.0 BACKGROUND

In GL 91-08, the NRC provided guidance to licensees when removing component lists from the TSs. Further, GL 91-08 addressed considerations that were unique to specific types of component lists such as containment isolation valve lists. The GL 91-08 provides the following guidance to licensees applying to relocate the containment isolation valves lists:

1. The specification for containment isolation valves applies to those valves that are listed in the table referenced in the TS. The alternative to listing these valves in a TS Table is the revision of the limiting condition for operation (LCO) to state "Each containment isolation valve shall be OPERABLE."

2. Although some components may be listed in the Updated Final Safety Analysis Report (UFSAR), the UFSAR should not be the sole means to identify these components. The Bases Section of the TS may reference the plant procedures where these lists are located; however, component lists should not be included in the Bases Section because the Bases Section lacks an appropriate regulatory process for change control.
3. The list of containment isolation valves typically includes footnotes that modify the TS requirements for these valves. Such notes must be incorporated into the associated LCO so that the footnotes will remain in effect when the table containing these footnotes is removed from the TS.
4. The TS Bases should include a description of what constitutes acceptable administrative control for opening locked or sealed-closed containment isolation valves.

3.0 EVALUATION

In its July 13 letter, the licensee described its method for complying with each of the above guidance items. For item 1, the licensee stated that the guidance was met in the revised definition of TS 1.7 and the requirements of TS 3.6.A. The NRC staff found that the current TS requirements in TS 3.6.A.1 require that: (1) non-automatic containment isolation valves which are not required to be open during accident conditions are closed and blind flanges installed where required, and (2) automatic containment isolation valves are either operable or in the closed position or isolated by a closed manual valve or flange. Further, TS 3.6.A.3 provides the actions that must be taken when one or more isolation valves are found to be inoperable. The staff finds that these requirements will ensure that containment integrity can be met and that all containment isolation valves that need to be closed for accident conditions are operable or previously closed or isolated.

For item 2, the licensee stated that both the non-automatic containment isolation valves that are open continuously or intermittently for plant operation (Table 3.6-1) and the required containment isolation valves in verifying the combined leakage rate for all containment bypass leakage paths (Table 4.4-1) will be relocated to UFSAR Section 5.2, "Containment Isolation System," which is subject to the change control provisions of 10 CFR 50.59. Further, UFSAR Table 5.2-1, "Containment Piping Penetrations and Valves," provides a listing of the containment isolation valves. Thus, the NRC staff finds that the licensee lists the containment isolation valves in various locations which are subject to the change control provisions of 10 CFR 50.59. The licensee also stated that appropriate plant procedures will implement the proposed TS and the requirements listed in the UFSAR.

For item 3, the licensee noted that footnotes associated with TS Tables 3.6-1 and 4.4-1 do not meet the criteria in GL 91-08 for retention in the TS since the footnotes are either descriptive in nature or provide information and do not modify the TS requirements for these valves. However, the information in the footnotes, except for the footnotes that explained the Table headers, will be included in the UFSAR and plant procedures. Thus, the NRC staff finds that the information in the footnotes is appropriately maintained in documentation other than the TS LCOs and need not be placed in the LCOs.

For item 4, the licensee proposed to revise the TS Basis section to include a description of the administrative controls for opening locked or sealed-closed containment isolation valves. The administrative controls consist of a dedicated operator at or near the valve controls, who is in continuous communication with the control room. The licensee states that the dedicated operator will be permitted to be stationed nearby, so as to minimize the radiation exposure associated with this compensatory action, and the transit time will remain less than 2 minutes.

The licensee proposed an exception to the specified administrative controls above for residual heat removal (RHR) valve 732 and other non-automatic remote-manual containment isolation valves that are operated intermittently from the control room. RHR valve 732 is the RHR system suction isolation from the reactor coolant system loop 32 hot leg. When the unit is at power, the RHR pumps are lined up to function as low head safety injection pumps, and RHR valve 732 is maintained in the closed position. When the unit is shutdown with reactor coolant temperature below 350 °F, RHR valve 732 and other RHR valves are opened as part of the system lineup to provide shutdown cooling (decay heat removal). The licensee states that since the RHR system is operated continuously when transitioning the plant to cold shutdown, a dedicated operator is not appropriate. Should safety injection be required when the system is aligned for shutdown cooling, the licensee maintains that plant procedures are in place to realign the RHR system and reposition RHR valve 732. The NRC staff finds that the procedural controls are sufficient to ensure adequate control of this valve consistent with plant design and system operation.

For nonautomatic containment isolation valves that can be manually operated remotely from the control room, the licensee proposed that the dedicated operator consist of the normally stationed control room operator. The NRC staff finds that the control room operator will be continuously available to position the valve and will satisfy the administrative control requirements.

The NRC staff has reviewed the proposed changes to the TSs and finds that, with the exceptions noted above, the changes are consistent with the intent of GL 91-08. With regard to the noted exceptions, the staff finds that the changes are consistent with plant and system operation as described in the UFSAR and are acceptable. Thus, the staff concludes that the proposed revisions to the TS and associated Basis section are acceptable.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New York State official was notified of the proposed issuance of the amendment. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The

Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding (66 FR 44166). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above that (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: P. Milano

Date: February 12, 2002